

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

AK MEETING IP LLC,)	
)	
Plaintiff,)	Civil No. 1:22-cv-01165-LY
)	
v.)	
)	
ZOHO CORPORATION)	JURY TRIAL DEMANDED
Defendant.)	

**PLANTIFF AK MEETING’S RESPONSE
IN OPPOSITION TO DEFENDANT’S MOTION
TO STAY PENDING *INTER PARTES* REVIEW**

Plaintiff AK Meeting IP LLC ("AK Meeting") files this Response In Opposition to Defendant Zoho Corporation’s (“Zoho”) Motion to Stay Pending *Inter Partes* Review (“IPR”) (“Motion”). The Court should deny Zoho’s Motion as moot because AK Meeting has dismissed all the claims of the ‘124 patent that are subject to the IPR from this lawsuit, leaving only the claims of the ‘211 patent asserted against Zoho that are not in the IPR.

I. FACTUAL AND PROCEDURAL BACKGROUND

On March 8, 2022, AK Meeting filed the Original Complaint accusing Zoho of infringing claims of U.S. Patent Nos. 10,963,124 (“the ‘124 Patent”) and 8,627,211 (“the ‘211 Patent”) in the Waco Division.¹ On May 6, 2022, AK Meeting filed the Amended Complaint

¹ Doc. No. 1 (Original Complaint in *AK Meeting IP LLC v. Zoho Corp.*, Civ. No. 6:22-cv-00250-ADA (W.D. Tex. Waco Div.)).

including additional/revised evidentiary claim charts for the ‘124 and the ‘211 patents-in-suit.²

To the present date, Zoho has not answered AK Meeting’s Complaint or Amended Complaint. Instead, on June 27, 2022, Zoho filed a 12(b)(6) Motion to Dismiss the Amended Complaint³ and on August 2, 2022 an Opposed Motion to Transfer Venue Under § 1404(a).⁴

On November 10, 2022, this case was transferred to the Austin Division, and on January 17, 2023, this Court held a status conference.⁵ On January 19, 2023, the Court entered a Pre-Markman Scheduling Order, setting the Markman date on September 21, 2023.⁶

On January 30, 2022, Zoho filed an Opposed Motion to Stay Pending IPR.⁷

On February 6, 2022, AK Meeting filed a Notice of Partial Dismissal, dismissing without prejudice to refiling all claims of the ‘124 Patent previously asserted against Zoho.⁸

II. ARGUMENT

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) and 41(a)(1)(B), AK Meeting properly dismissed all the claims of the ‘124 Patent without prejudice because Zoho has not yet filed an answer or a motion for summary judgment.⁹ Accordingly, only the claims of the ‘211 Patent asserted against Zoho remain in this case.¹⁰ Because the IPR was filed and the review was granted only with respect to the ‘124 Patent that is no longer in this case and does not involve any of the asserted claims of the ‘211 patent remaining in this case, Zoho’s Motion to Stay should be denied as moot.

² Doc. No. 2 (Amended Complaint in *AK Meeting IP LLC v. Zoho Corp.*, Civ. No. 6:22-cv-00250-ADA (W.D. Tex. Waco Div.)).

³ Doc. No. 15 (Zoho’s Motion to Dismiss, which is fully briefed and pending); *see also* Doc Nos. 18 (AK Meeting’s Response) and 19 (Zoho’s Reply).

⁴ Doc. No. 20 (Zoho’s Opposed Motion to Transfer Venue).

⁵ Doc. Nos. 28 (Notice of Transfer) and 30 (Minute Entry for Status Conference proceedings).

⁶ Doc. No. 32.

⁷ Doc. No. 33.

⁸ Doc No. 34 (AK Meeting’s Notice of Partial Dismissal of the ‘124 Patent).

⁹ *See* Fed. R. Civ. P. 41(a)(1)(A) and 41(a)(1)(B).

¹⁰ *See* Doc. No. 8 (Amended Complaint).

III. CONCLUSION

For the foregoing reasons, AK Meeting respectfully asks the Court to deny Defendant Zoho's Motion to Stay Pending *Inter Partes* Review of the '124 Patent.

DATED: February 6, 2023

Respectfully submitted,

Ramey LLP

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and LR5, I hereby certify that all counsel of record who have appeared in this case are being served on this day of February 6, 2023, with a copy of the foregoing via email and ECF filing.

/s/William P. Ramey, III
William P. Ramey, III